



# United States Department of the Interior

## OFFICE OF THE SOLICITOR

1849 C STREET N.W.  
WASHINGTON, DC 20240  
AUG 11 2003

### Memorandum

To: Director, Office of Acquisition and Property Management  
and Senior Procurement Executive  
Associate Solicitors  
Regional and Field Solicitors

From: William G. Myers III  
Solicitor 

Subject: Interim Blanket Approval for Certain Real Property-Related Transactions

Secretarial Order No. 3243 recognizes the responsibility of the Solicitor for all of the legal work of the Department and mandates the Solicitor's prior approval of "contracting for all services with lawyers or law firms, whether for legal or other services." Under the authority vested in me by Secretarial Order No. 3243, 109 DM 3, and 209 DM 3, I hereby provide interim blanket approval, which shall serve as an exception from the requirement of specific approval in each instance, of the following services provided by lawyers or law firms:

- Title searches and title opinions incidental to real property transactions
- Real estate settlement or closing services incidental to real property transactions

This approval pertains only to services frequently and routinely required by departmental land management agencies in disposing of or acquiring real property. These services typically are limited in scope and duration, transaction-specific, and do not involve the interpretation of law, regulation, departmental policy, any discretionary exercise of judgment involving public resources or entitlements, or any function commended by law to this Office or to the Department of Justice. All contracts covered by this blanket approval should include language requiring disclosure of potential conflicts of interest. *See Attachments.* This interim blanket approval, including insertion of conflict-of-interest language into affected contracts, may require changes in the guidance provided to procurement activities by the Office of Acquisition and Property Management.

This interim blanket approval will expire on July 31, 2004, unless otherwise extended or modified. If you believe, after review of several months under this approval, that it should be extended, please advise the Associate Solicitor for General Law no later than June 15, 2004 of the results of your review and your desire to extend this approval. Not later than July 2, 2004, the Associate Solicitor for General Law should recommend to this Office whether to extend or modify this approval.

Attachments

When the contract is with an individual practitioner, the practitioner should complete the following Certification or its substantial equivalent:

### CONFLICT OF INTEREST – INDIVIDUAL

I, \_\_\_\_\_, hereby certify and acknowledge the following:  
(Legibly print name)

- (1) I shall not hold financial or other interests that conflict with the conscientious performance of my duties under this contract.
- (2) I shall not now nor in the future engage in any transaction using nonpublic government information, including knowledge of this or any related transaction, to further any private interest.
- (3) I am not presently representing any party in an adverse proceeding against the Department of the Interior or its agencies, bureaus, or offices, nor engaged in any other matter that could create an actual or apparent conflict of interest, nor may I use information obtained in performance of this contract in any future representation.
- (4) I am under a continuing obligation promptly to advise the contracting officer of any fact or circumstance affecting the above certifications. I agree that if, after award, a conflict of interest with respect to this contract is discovered, the Department may take appropriate steps to mitigate such conflict, including termination of the contract, if the Department deems such action to be in its best interest.
- (5) I understand that this certification and attendant obligations also apply to my employees and staff.
- (6) I acknowledge that these certifications are material statements subject to 18 U.S.C. § 1001 and other authorities governing false statements.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Title

When the contract is with a firm or office, an authorized representative of that firm or office should complete the following Certification or its substantial equivalent:

CONFLICT OF INTEREST – LAW FIRM or LEGAL OFFICE

I hereby certify and acknowledge the following on behalf of the law firm/legal office of:

\_\_\_\_\_, hereinafter “Firm”:  
(Legibly print name of firm or legal office)

- (1) The Firm shall not hold financial nor other interests that conflict with the conscientious performance of its duties under this contract.
- (2) The Firm shall not now or in the future engage in any transaction using nonpublic government information, including knowledge of this or any related transaction, to further any private interest.
- (3) The Firm is not presently representing any party in an adverse proceeding against the Department of the Interior or its agencies, bureaus, or offices, nor engaged in any other matter that could create an actual or apparent conflict of interest, nor may the Firm use information obtained in performance of this contract in any future representation.
- (4) The Firm is under a continuing obligation promptly to advise the contracting officer of any fact or circumstance affecting the above certifications. The Firm agrees that if, after award, a conflict of interest with respect to this contract is discovered, the Department may take appropriate steps to mitigate such conflict, including termination of the contract, if the Department deems such action to be in its best interest.
- (5) I hereby represent and warrant that I am authorized to bind the Firm in making these certifications and undertaking these obligations.
- (6) I acknowledge that these certifications are material statements subject to 18 U.S.C. § 1001 and other authorities governing false statements.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Title